

April 14, 2009

Tremont Borough Council met for their Regular Meeting at 6:30 p.m. in the Clay Street School Building.

Council members attending were: Laine R. Mack Jr., John Mease, Carl Wiscount, Robert Donmoyer, and Roger M. Adams. Also attending: Mayor William Allar, Secretary Cheryl Mack, Road Supervisor William Mindler, Police Chief Michael Conway, and Solicitor Chris Hobbs. Councilman George Schaeffer was absent. Also attending were: Reporters: Joan Schwer and Tim Christman, Fire Chief James Koppenhaver, Robert Kearns of Municipal Energy Managers, and Citizen: Frederick Scheibley.

President Mack opened the meeting with the Pledge of Allegiance.

Mease and Adams motion to accept the minutes of the March 10, 2009 Regular Meeting. All in favor.

CITIZEN COMMUNICATION: Nothing to report.

COMMUNICATIONS: A communication was read from Charles Huntzinger of the Tremont Community Organization to extend an invitation to the Mayor and Borough Council to attend the organization's Memorial Day Service to be held at the Robert "Pete" Wiscount Veteran's Memorial Park on Sunday, May 24th beginning at 1:00 p.m.

PennDOT sent a notice that we have one bridge due for inspection by September 2009. They will make arrangements for this inspection.

FoodBrain Training sent a schedule of upcoming classes for completing the 2009 SafeServe Food Safety & Recertification Program.

Tamaqua Mayor Chris Morrison sent notification of the Schuylkill County Borough's Association Dinner meeting to be held in the Trinity UCC Church on Wednesday, April 22 beginning at 6:00 p.m. President Mack stated that he will attend this meeting.

The Sch. Co. West Nile Virus Program will begin setting various mosquito traps throughout the County in cooperation with D.E.P. in order to track the West Nile Virus. They sent pictures of these traps so that our EMA and Fire Dept. can familiarize themselves with them.

Charles Huntzinger copied the Borough on his letter to Congressman Tim Holden concerning the needed repairs to our Union Street Bridge to facilitate it's reopening. He also copied Rep. Tim Seip, Sen. David Argal, U.S. Sen. Arlin Specter, and U.S. Sen. Robert Casey Jr.

Sen. David Argal copied the Borough on his letter to Allen Biehler of PennDOT concerning the Union Street Bridge in response to Mr. Huntzinger's letter.

A notification was read from the West Schuylkill Council of Government (COG) that the next meeting will be held at the Palo Alto Fire Hall on Tuesday, April 21 beginning at 7:00 p.m.

Adams and Donmoyer motion to authorize the use of the Clay Street School auditorium to the Tremont Community Band for Saturday evening on, May, 23rd to hold their annual Memorial Day Concert. All in favor.

Charles Ross of the Sch. Co. Planning & Zoning Office sent an invitation for one representative of each municipality to attend the first two Watershed Planning Advisory Committee (PAC) meetings to help facilitate the development of Phase I Act 167

Stormwater Management Plan. The first meeting is scheduled for Thursday, May 7th at 6:30 p.m. in Courtroom #1 at the Court House.

No action was taken concerning the Sch. Co. Affordable Housing Trust Fund Board's notification of this year's grant funding of \$ 228,339 which will be allocated to eligible municipalities to develop "Affordable Housing Efforts" in their community. Applications for consideration of funding must be received by May 1st at 4:00 p.m.

SOLICITOR'S REPORT: Solicitor Hobbs noted that he and Bob Kearns of Municipal Energy Managers (MEM) have finalized the draft copy of the Guarantee Turnkey Performance Agreement with MEM and he has prepared four original copies for Council to take action on. He has also finalized the authorization forms for the closing of the Financing Agreement with Gratz National Bank to be effective on Thursday, April 16 with Council's approval. Solicitor Hobbs recommends that Council act on each issue separately. John Mease asked Council if anyone has any further questions on this issue before action is taken. Donmoyer stated that he has concerns about the clause in the contract that gives MEM the right to install new light fixtures without Council's permission. Even though the contract states that MEM will remove the additional light if Council objects to it, Donmoyer feels that the wording should state that the Borough gives approval for the additional light before it is installed. Mr. Kearns responded that he would authorize an additional light in an emergency situation only such as an accident knocking down a fixture on one side of the street, whereby they need to place a fixture on the opposite side of the street to restore power. He also stated "As a professional courtesy, and I will give this in a letter, I will not add any lights without Councils' consent. I have no problem keeping Council informed prior to any actions taken by MEM. If you look at the traffic light control box, if you want my approval of placing a battery back-up, changing to LED, and changing to a plastic head, we have an understanding that that will in fact be achieved right off the bat from any savings that we have which appears to be an issue". Donmoyer stated "I have no problems with that myself" to which Adams responded "I was the one that brought that question up". Mease stated that he wanted to make sure that everyone has had their questions answered. He asked Solicitor Hobbs "Do you find that the wording in the agreement is satisfactory to the Borough" to which the solicitor responded yes. Mease motioned to enter into the Guarantee Turnkey Agreement with MEM. Having received no other second to Mease's motion President Mack vacated his seat as per Robert's Rule's of Order to make a second to the motion. Solicitor Hobbs directed Secretary Cheryl Mack to poll the board. Wiscount, L. Mack, and Mease vote yes. Donmoyer and Adams vote no. The motion carried 3 to 2.

Having no one making the motion to enter into the finance agreement with the Gratz National Bank, L. Mack again vacated the chair to make the motion himself. Mease seconds the motion. Solicitor Hobbs asked if there are any questions. Hearing none he directs Secretary Mack to poll the board. Wiscount, Mease, and L. Mack vote yes. Donmoyer and Adams vote no. Motion carries 3 to 2.

Mr. Kearns stated " I certainly appreciate the intensity of the questions and the vigor of the disagreements and, regardless of the vote I will not disappoint you and you will find that our service and our experience will be very much a compliment to Tremont.

John Mease made the following statement. "For the purpose of the Minutes and for

clarifying my motion tonight and my actions tonight, I believe that it is incumbent on us as a Borough councilman and as community leaders that whenever and wherever we can save the taxpayers money, I believe that it is incumbent upon us to do so. I have sat through three months of meetings with MEM, I have read every word of the contract, and I have questioned numerous things in the contract. Each question that I had was answered and the purpose of my previous remarks this evening was to make sure that everyone had adequate time to have their questions answered to their satisfaction. I believe we've accomplished that. Having said that, I believe it's a leap of faith at least on my part and I want in the minutes to reflect that I have languished long and hard over this as I will not be present after the first of next year. I had serious reservations about committing future Councils to a twenty year agreement. Now again, having said that, I believe that it is in the best interest as was presented by Mr. Kearns to us and these other representatives that this is the best move for us at this time to offset any future increases in our electric utility bills for our street lighting and our one red light. I would ask that these remarks be included verbatim in the minutes, Madam Secretary. If there are any objections to having them in the minutes I would like to hear them now" No objections were given. President Mack stated that his actions were for basically the same reasoning as Mease's.

PUBLIC UTILITY & STREETS: Secretary Mack attended a PennDOT training class to prepare for PennDOT's change to mandatory online filing of all Liquid Fuels reports and forms. In order to participate, the Borough must enter into an agreement with PennDOT to get access authorization and also to enact a Resolution to designate the representatives of the Borough that are authorized to use the online system. Donmoyer and Adams motion to enter into the Agreement for Online Access with PennDOT. Roll call vote. All in favor.

Donmoyer and Wiscount motion to enact Resolution #2009-02 to designate Secretary Cheryl Mack and President Laine Mack as authorized users of the PennDOT Online system for Tremont Borough. Roll call vote. All in favor.

PROPERTY: Donmoyer announced that the bath house project has been started. He also noted that the Boy Scouts have reactivated and will again be meeting in the Scout room of the TACC building.

MAYOR'S REPORT: Mayor Allar thanked the Fire Department and the Fire Chief for the excellent job they did in handling the Spring Street garage fires. Allar also announced that a COPS Grant application has been submitted to the US Dept. of Justice. If the grant is awarded we will be able to hire one additional police officer. The grant funds will reimburse the Borough for the officers wages and benefits for the first three years and the Borough must retain the officer and pay all expenses for the fourth year of service.

Mayor Allar noted that two different residents received a letter and a check from Canada telling them to deposit the check into their bank account and send a check to them for a lesser amount to register their prize. By the time each resident was notified that the deposited check did not clear their other check was already cashed. Allar said that this is a scam and anyone receiving such a letter should contact either him or the Police Department.

LAW & ORDER: Mease related that his committee had a meeting with

representatives of Frailey Twp. last month to discuss the COPS grant application and other matters. L. Mack noted that he has received compliments from some Frailey residents concerning our Police department's service and he wanted to acknowledge that fact.

Chief Conway provided a report for March noting 23 Incidents, no Arrests, and 361 miles on the Police cars.

Officer Kavanaugh's report for February noted 37 Incidents, 5 Arrests, 1 District Court Hearing, and 480 miles on the Police cars.

PUBLIC HEALTH & SAFETY: Adams noted that the meeting for the Public Health & Safety Committee and representatives of the Tremont Fire Co. #1 beginning at 7:00 p.m. which was scheduled for Tuesday, April 21 has been changed to Monday, April 27th. Adams also made a public request that residents of the Borough refrain from placing their garbage bags near the fire hydrants when placing them curbside for pick-up. Fire Chief Koppenhaver noted that the department had 7 calls for March. He noted that the Fire Marshall has been called in to investigate the garage fires on Spring Street to determine the cause. Koppenhaver asked Council for permission on behalf of Mr. Seitz to burn two piles of timber on his building lot to be overseen by the Fire Dept. Mack stated that he felt this would be a good practice for the fire department. Mease advised that the County should be contacted to make sure that this type of burning is not prohibited and if it is not he also has no objections. Other members of Council agreed.

Koppenhaver discussed a change in plans for repairing the MIV valve on the KME truck. Since it would cost \$ 3,100 to fix the MIV internal valve the department would like to purchase a manual external valve and bypass the internal valve which will be a cost savings of \$ 2,000. Adams and Donmoyer motion to allow fire department to get the external MIV valve installed on the KME. Roll call vote. All in favor.

RECREATION & EDUCATION: Wiscount announced that they have three applicants for lifeguards. One is certified and the other two need to get recertified. Weather permitting his committee will begin preparing the pool for opening.

TREASURER'S REPORT: Mease and Adams motion to accept the report as prepared by C. Mack. Roll call vote. All in favor.

FINANCE: Donmoyer and Wiscount motion to enter into the Modification Agreement with M & T Bank in order to change the repayment plan on the Borough's \$ 400,000 Promissory Note from one annual payment of \$ 48,826.08 to a monthly pay plan. This agreement does not change the interest rate of the loan. Roll call vote. All in favor.

OLD BUSINESS: Donmoyer had a request from the Library Board to contribute \$ 550.00 towards the cost of their new Internet Server. Mease suggested that due to budgetary constraints a decision on this issue be postponed until we see how our tax revenues come in. It was agreed to revisit this request in three months.

NEW BUSINESS: L. Mack announced that Thursday, April 23rd will be the last day for Thursday ash pick-ups. Ashes will be picked up once a week on Mondays until the cold weather returns in the Fall.

Adams and Donmoyer motion to advertise for bids to try to sell the following equipment: 1986 FORD F 250 P/U Truck with snow plow; 1987 CHEV C30 Dump truck with snow plow; 1970 FORD Dump truck; and a BUYERS 8' Under the Tailgate

Salt Spreader. Roll call vote. All in favor.

Donmoyer and Wiscount motion to authorize the annual routine service to the backhoe by Plasterers Equipment Co. Roll call vote. All in favor.

Mease asked whether price quotes were obtained to purchase the salt spreader for the new truck. Mindler said that he would get three phone bids if the spreader costs more than \$ 4,000.

Adams asked whether SMA will be doing anything about the repairs to the streets where they had openings. Mack stated that he was told these street repairs will be done in the Spring.

RECEIPTS: GENERAL ACCOUNT: District Magistrate Carol Pankake: \$ 18.11 Vio. @ Ordinances and \$ 82.63, Vio. @ Veh. Code; Tremont Library: \$ 200.00, rent (April); Diakon Lutheran Social Services: \$ 873.33, rent (March), and \$ 256.19, utility reimb.; Sch. County:\$ 1,895.00, rent (April); IU-29: \$ 920.00, rent (March) Road & School:\$ 465.03, delinq. R. E. taxes; Bonnie Kupp: \$ 375.00, rent, \$ 35.00 classroom rent, and \$ 8.88, utility reimb.; Real Estate Transfer: \$ 196.68, taxes; Rep. Tim Seip: \$ 100.00, rent (April); Frailey Twp.: \$ 2,829.56, reimb.; Dumpster Permits: \$ 100.00; Sch. Co. Election: \$ 80.00, rent; Tremont Fire Dept. #1: \$ 50.00, Food & Beverage License; Richard Kintzel: \$ 20,339.69, real estate taxes and \$945.70, Per Capita taxes; COPS Grant: \$ 5,000.00, police equipment; T.C.O.: \$ 415.83, LED bulbs @ Holiday Lights; Tremont Baseball Assoc.: \$ 50.00, gym rent; DEP: \$ 19,852.50, Stream Clean-out Grant Reimbursement; G. Schaeffer: \$ 51.54, reimb.; HUD Grant: \$ 4,849.22, grant administration fees; NOW Account Interest \$ 8.16 (March);

TOTAL = \$ 59,998.05

PLGIT ACCOUNT: EIT: \$ 5,418.04; LST/OPT: \$ 2,389.89; PLGIT Interest: \$ 26.66, (March);

TOTAL = \$ 7,834.59

PAYROLL: \$ 15,592.91: Transferred from General Account (March); NOW Account Interest: \$.88 (March);

TOTAL = \$ 15,593.79

PLGIT FIRE DEPT. FUND: Interest: \$ 6.52 (March)

TOTAL = \$ 6.52

PLGIT HIGHWAY AID FUND: Interest: \$ 22.00 (March);

TOTAL = \$ 22.00

LANDFILL ACCOUNT: Interest: \$.11, (March);

TOTAL \$.11

STREET RECONSTRUCTION ACCOUNT: Interest: \$ 1.27 (March);

TOTAL = \$ 1.27

POLICE PENSION FUND: Interest: \$.03, (March);

TOTAL = \$.03

SWIMMING POOL FUND: Cash Receipts: \$ 474.00 (March);
TOTAL = \$ 474.00

CLAY STREET BUILDING FUND: Interest: \$ 16.62 (March);
TOTAL = \$ 16.62

POOL BUILDING GRANT ACCOUNT: Interest: \$24.08 (1st Quarter)
TOTAL = \$ 24.08

EXPENDITURES: Donmoyer and Adams motion to approve payment of the monthly expenditures. Roll call vote. All in favor. General Fund: \$ 18,311.28; Fire Dept. Fund: \$ 653.37; Payroll Fund: \$ 6,067.30; Swimming Pool Fund: \$ 76.09; PLGIT Clay Street Building Account: \$ 495.93; Highway Aid Fund: \$ -0-; PLGIT General Account: \$ -0-;

EFT	Yahoo, website fee	13.94
6664	Richard Kintzel, reimb @ verification fees	10.00
6665	James Wolfe, dumpster retainer fee	25.00
6666	Berkheimer, services	218.24
6667	Capital Blue Cross, insurance	2,879.10
6668	SMA, utilities	358.57
6669	P.P. & L. Co., utilities	4,047.30
6670	Frontier Tele. Co., services	256.67
6671	Tremont Library, internet fees	20.00
6672	Harleysville Life Ins., council premium	8.59
6673	Potts & Monger, garbage removal	60.00
6674	Mid Penn Bank, loan	873.21
6675	SMA, sewer utilities	90.00
6676	Ehrlich, monthly service fee	105.00
6677	Kreiser's Fuel, monthly	352.62
6678	Atty. Chris Hobbs, solicitor fees	83.31
6679	State Workers Ins. Fund, w/c premium inst.	2,791.00
6680	Morgan's Service Station, repairs Police Bronco	107.26
6681	Lewis T. Moyer, Health officer fees	75.00
6682	Central Penn Paper, dry mop head	14.20
6683	Deluxe Business Checks, gen. acct. checks & dep. slips	191.95
6684	South Sch. Publishing, ad @ audit report	160.00
6685	P.M. Assoc., elevator inspection fee	60.00
6686	Light-Heigel & Assoc., surveyor fees	188.00
6687	Petty Cash, allocation	100.00
6688	PSAB, BEOP membership renewal fee	25.00
6689	Witmer Assoc. Inc., taser & holster	808.45
6690	Gall's Inc., shotgun racks @ police vehicles	607.97
6691	Gall's Inc., uniforms (Kavanaugh)	325.91
6692	Tremont Postmaster, stamps	84.00
6693	H. A. Thompson, property insurance installment	2,271.00
6694	Sage Sofeware, Peachtree accounting software renewal	599.99

6695	Carisa's Cleaning, monthly fee		<u>500.00</u>
		TOTAL	\$ 18,311.28

PLGT FIRE DEPT FUND:

364	VCLF, truck loan		<u>653.37</u>
		TOTAL	\$ 653.37

PLGIT HIGHWAY AID FUND:

No Expenditures			<u>-0-</u>
		TOTAL	\$ -0-

PAYROLL FUND:

EFT	PA Dept of Revenue, State Payroll Tax		211.94
4751	Miners Bank, Federal Payroll Tax Deposit		2,010.22
4752	HAB-EIT, 1 st Quarter		413.39
4753	PSAB U/C Plan, 1 st Quarter		561.70
4754	PA UC Fund, 1 st Quarter		23.99
4755	HAB-LST, 1 st Quarter		58.80
4762	AFLAC, employee premiums (payroll deductions)		186.20
4763	Powell, Rogers, & Speaks, wage attachment		287.00
4764	Miners Bank, Federal Payroll Tax Deposit		2,056.96
4765	FOP Black Diamond Lodge, Police Dues (April)		40.00
EFT	PA Dept of Revenue, State Payroll Tax		<u>217.10</u>
		TOTAL	\$ 6,067.30

SWIMMING POOL FUND:

1254	Miller's Dist., concessions		57.61
1255	P.P. & L. Co., utilities		<u>18.48</u>
		TOTAL	\$ 76.09

PLGIT CLAY STREET SCHOOL BUILDING ACCOUNT:

0125	Pribilla's, paint & painting supplies		<u>495.93</u>
		TOTAL	\$ 495.93

PLGIT GENERAL FUND:

No Expenditures			<u>-0-</u>
		TOTAL	\$ -0-

There being no further business Wiscount and Donmoyer motion to adjourn from the regular meeting at 7:45 p.m. All in favor.

ATTEST

PRESIDENT

MINUTES PRINTED FROM TREMONT BOROUGH WEBSITE

